IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital the 19th day of October, 2006
Crl. Bail Application No. 976 of 2006

Order on the Bail Application:
CRIMINAL SIDE

Wahid @ Bablu S/o Chhanga Shah
R/o Kasba & police station Shahi,
District Bareilly (U.P.)

…… Applicant

Versus

State of Uttaranchal …….Opposite Party

Arising out of Crime No. 1643 of 2005
Under Sections: 147, 148, 149, 302, 120-B of I.P.C.
Police Station: Kichha
District: Udham Singh Nagar.

Hon'ble Prafulla C. Pant, J.

Heard Mr. Navneet Kaushik, learned counsel for the applicant and Mr. Lalit Verma, learned A.G.A. for the State.

Applicant Wahid @ Bablu, who is in jail in connection with crime No. 1643 of 2005, relating to offences punishable under Section 147, 148, 149, 302, 120-B of I.P.C., P.S. Kichha, District Udham Singh Nagar, has sought his release on bail.

Complainant Usha has filed First Information Report that three unknown persons have murdered her husband. In her first statement under Section 161 of Cr.P.C., she says that assailants were five in number and not three. Again, in her next statement recorded under Section 161 of Cr.P.C., she disclosed certain names including that of the applicant. Order of the learned Sessions Judge, whereby the applicant's bail is rejected shows that so far some twelve names have been disclosed, and out of them nine have been enlarged on bail.

Considering the above facts and circumstances of the case, without expressing any opinion as to the final merits of the case, this Court is of the view that the applicant deserves bail.

Let the applicant Wahid @ Bablu be released on bail on his executing a personal bond and furnishing two sureties each of the like amount to the satisfaction of the Chief Judicial Magistrate, Udham Singh Nagar.

Dated 19.10.2006
H.Negi

(Prafulla C. Pant, J.)